

***John Randall Brainard Jr. v. USAA General Indemnity Company***

Held October 2, 2018 – Docket No. INS-18-2045

Decision Issued: November 2, 2018

The named insured requested a hearing to contest the cancellation of a homeowners policy for physical changes in the insured property that result in the property becoming uninsurable. The company established the existence of one or more of the noted reasons, affecting the insurability of the property.

**Held:** For USAA General Indemnity Company. 24-A M.R.S. § 3049(5) permits the cancellation of this type of policy for physical changes in the insured property that result in the property becoming uninsurable. As the company established that changes in the property occurred that make the property uninsurable, the cancellation action is permitted by the Maine Property Insurance Cancellation Control Act.